

## **REMARKS**

In response to the non-final Office Action mailed April 26, 2005, the Attorney for the Assignee submits the appended amendments and remarks. Claims 1-22 are pending in the present application. Claims 23-37 have been withdrawn from consideration in a prior response, without prejudice to filing a divisional or continuation application. Claims 1-22, including independent claims 1, 7, and 17, have been amended in the present response. The present amendment and response traverses all of the prior Office Action rejections, and allowance of the pending claims is kindly requested.

### **I. REJECTION OF CLAIMS 1-22 UNDER 35 U.S.C. 101**

The Office Action rejected claims 1-22 under 35 U.S.C. 101 as being non-statutory. Claim 1 has been amended with the suggested elements, "computer-implemented," and "electronically." Claims 2-22 have been amended with the element "computer-implemented." The non-statutory rejection is respectfully traversed.

### **II. REJECTION OF CLAIMS 1, 2, 4-10, and 12-22 UNDER 35 U.S.C. 102**

The Office Action rejected claims 1, 2, 4-10, and 12-22 under 37 C.F.R. § 102(e) as being unpatentable over *Walker et al.* (U.S. Patent No. 6,088,686, hereinafter "*Walker*"). For at least the following reasons, the anticipation rejection is respectfully traversed.

*Walker* relates to a system and method for a lender or bank to perform on-line credit reviews and approvals. *Walker* describes a method to permit a lender or bank make a credit review based on a customer's request for credit, but the lender or bank, not the customer, receives credit information in order to make a decision to extend credit. Col.

12, line 36 – Col. 13, line 64; and Col. 16, lines 19-31. *Walker* does not relate to permitting a consumer to request personalized credit-related information based on credit history data of the consumer, generating summary report of credit-related personalized information for the consumer, or transmitting the summary report to the consumer. Specifically, *Walker* does not disclose or suggest the elements of Applicants' amended claim 1, "receiving a request from the consumer for personalized credit-related information," "generating a summary report of personalized credit information based on the credit history data, the summary report including a credit score and an explanatory statement suggesting steps to improve the credit score," or "transmitting the summary report to the consumer." Therefore, amended independent claim 1 should be allowable over the cited reference.

Furthermore, *Walker* relates to determining whether to provide a customer a price offer based on the individual customer's existing financial relationship with the financial institution performing the credit review. Col. 13, lines 35-43. *Walker* describes a method to provide "price offers based on an individual customer's existing financial institution relationship." Col. 13, lines 42-44. *Walker* further describes that "[i]f no relationship exists ..., the assigned default product profile (FIG. 14) is accessed to provide price offers (block 2014)." Col. 13, lines 44-46. However, FIG. 14 and block 2014 in *Walker* do not describe any details as to providing price offers to a customer from third-parties other than the financial institution performing the credit review. Thus, *Walker* does not relate to providing a consumer with multiple offers from multiple merchants, other than the financial institution reviewing the consumer's credit. *Walker* is silent as to any details in providing price offers to a customer when no relationship exists with the financial

institution performing the credit review. Therefore, *Walker* does not disclose or suggest the elements of Applicants' amended claim 7, "selecting a pre-approved offer from a plurality of offers from multiple merchants based at least partially on the credit history of the consumer. Likewise, *Walker* does not disclose or suggest the element of Applicants' amended claim 17, "receiving consumer data records from a plurality of databases; selecting for the consumer at least one pre-approved offer based on at least one consumer data record associated with the consumer, wherein the pre-approved offer is from at least one merchant." (underlining supplied). Amended independent claims 7 and 17 should also be allowable over the cited reference.

### III. REJECTION OF CLAIMS 3 and 11 UNDER 35 U.S.C. 103

The Examiner rejected claims 3 and 11 under 37 C.F.R. § 103(a) as being unpatentable over *Walker*. Arguments for patentability with respect to *Walker* were advanced above for amended independent claims 1 and 7. Since claims 3 and 11 are ultimately dependent from either amended claim 1 or 7, these dependent claims should also be allowable over the cited reference. This obviousness rejection is respectfully traversed.

**CONCLUSION**

Claims 1-22 are pending in the application. The Office Action rejections are believed to be traversed by the present amendment and response. Claims 1-22 should now be in condition for allowance. The Examiner is invited and encouraged to contact the undersigned attorney of record at (404) 815-6048 if such contact will facilitate a Notice of Allowance for claims 1-22. If any additional fees are due, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 11-0855.

Respectfully submitted,



Christopher J. Chan  
Reg. No. 44,070  
Attorney for the Assignee

Date: **26 July 2005**

KILPATRICK STOCKTON LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, Georgia 30309  
404.815.6048 (direct)  
404.815.6555 (fax)